vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.208 OF 2005

Vijaykumar Vasant Gaikwad ... Petitioner

V/s.

M.R. Kadam & Ors. ... Respondents

Mr.Uday P. Warunjikar with Mr.B.Vyas for Petitioner
Mr.A.H. Palekar for Respondent No.1
Mr.S.Prabhu for Respondent Nos.2 to 4

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 30, 2005**

P.C.:

. This Petition alleges that there is a contempt of the order of this Court dated 19.4.2004. By this order, the Deputy Director of Education was directed to verify the calculations of the amount due and payable by Respondent Nos.1 and 2 i.e., Respondent Nos.2 and 3 herein. An affidavit has been filed by one M.R. Kadam, the Deputy Director of Education, Kolhapur Region, Kolhapur, Respondent No.1 herein, stating that the calculations furnished by Respondent Nos.2, 3 and 4 in the contempt petition have been verified and the amounts due to the Petitioner have already been paid. According to the Petitioner, the amount paid to him is not correct.

2. The contempt proceedings, in my opinion, are not the proper proceedings to agitate the grievance of the Petitioner. The dispute regarding the exact amount due and payable to the Petitioner cannot be decided in a contempt petition. The Petitioner is free to take appropriate proceedings to ensure that the correct amounts are paid to him. According to the Petitioner, tax deducted is also more than necesary. The Petitioner is at liberty to take appropriate proceedings in that behalf. Contempt Petition is disposed off accordingly.